

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JAMES PATRICK LESLEY,)
)
Petitioner,)
)
vs.) NO. CIV-23-0171-HE
)
CHRIS RANKINS,)
)
Respondent.)

ORDER

Petitioner James Patrick Lesley, a state prisoner appearing *pro se*, filed a habeas petition arguing that the Oklahoma Pardon and Parole Board has failed its constitutional duty to properly consider recommending him for parole to the Governor and an application to proceed *in forma pauperis* in this case. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Amanda Green for initial proceedings. Judge Green has issued a Report and Recommendation recommending that petitioner's IFP motion be denied.

The Report advised petitioner of his right to object on or before March 24, 2023. Petitioner has not objected thereby waiving his right to appellate review of the factual and legal issues addressed.

The court therefore **ADOPTS** the Report and Recommendation [Doc. #6]. Petitioner motion to proceed IFP [Doc. #2] is **DENIED**. If petitioner does not pay the \$5.00 filing fee within **twenty-one (21) days** of the date of this order, his petition will be dismissed without prejudice.

IT IS SO ORDERED.

Dated this 3rd day of April, 2023.



JOE HEATON
UNITED STATES DISTRICT JUDGE